

# MINING SAFETY ACT

Act No. 13729, Jan. 6, 2016

Amended by Act No. 15175, Dec. 12, 2017

## Article 1 (Purpose)

The purpose of this Act is to seek rational ways to exploit underground resources by preventing hazards to miners, as well as mining damage.

## Article 2 (Definitions)

The terms used in this Act shall be defined as follows: *<Amended by Act No. 13729, Jan. 6, 2016>*

1. The term "mine" means places of business in which mining business is conducted;
2. The term "mining facility" means buildings, artificial structures, pits, machines, equipment and other facilities used for mining in mines: Provided, That appurtenances not directly related to the extraction of minerals, which are prescribed by Presidential Decree, shall be excluded;
3. The term "miner" means persons providing labor in mines in return for wages;
4. The term "mining safety" means the following activities conducted in mines:
  - (a) Prevention of potential hazards to humans (including rescuing humans in the event of the occurrence of disasters);
  - (b) Protection of underground resources;
  - (c) Preservation of mining facilities;
  - (d) Prevention of mining damage;
5. The term "mining damage" means damage inflicted on mines and their surrounding environs due to drilling of the ground, extraction of minerals, and ground subsidence incurred in selecting and refining minerals in mines, sweeping away of waste rocks and mining wastes, discharge and efflux of mine water and waste water, emission of metallurgical smoke, scattering of dust, and generation of noise and vibration.

## Article 3 (Effect of Dispositions)

- (1) Each disposition issued under this Act (including any order issued under this Act; hereafter the same shall apply in this Article), or each proceeding or activity taken by a mining right holder or mining concession holder in accordance with this Act shall also take effect on the successor to the mining right holder or mining concession holder.
- (2) Where a new mining concession is created or a conceded mining area is expanded, each disposition issued under this Act, or each proceeding or activity taken by a drilling right holder in accordance with

this Act shall also take effect on the mining concession holder within the scope of the mining concession.

(3) Where an existing mining concession is extinguished or a conceded mining area is reduced, each disposition issued under this Act, or each proceeding or activity taken by the mining concession holder in accordance with this Act shall also take effect on a drilling right holder within the scope of the drilling right: Provided, That the same shall not apply to the mining concessions extinguished due to the extinguishment of drilling rights.

**Article 4 Deleted.** <by Act No. 5723, Jan. 29, 1999>

**Article 5 (Obligations of Mining Right Holders or Mining Concession Holders)**

(1) Each mining right holder or mining concession holder shall take measures necessary to attain the following objectives: <Amended by Act No. 13729, Jan. 6, 2016>

1. Prevention of cave-in, collapse, spring water, gas leakage, explosion of gases or coal dust, spontaneous combustion, and fire, and maintaining of ventilation;
2. Prevention of hazards and mining damages which may be accompanied by the treatment of gases, dust, noise, vibration, waste rocks, mine wastes, mine water, waste water and metallurgical smoke;
3. Prevention of hazards which may be accompanied by the handling of machines, equipment, explosives and other materials, power and fire;
4. Preservation of mining facilities;
5. Establishment of rescue teams, securing of safety equipment, provision of safety education to miners, and enactment of safety regulations;
6. Protection of underground resources;
7. Prevention of mining damages and other safety measures.

(2) Detailed measures to be taken by a mining right holder or mining concession holder pursuant to paragraph (1) shall be prescribed by Presidential Decree.

**Article 5-2 (Special Areas)**

(1) A mining right holder or a mining concession holder may designate the area deemed unnecessary to take measures concerning combustible gases as a special area, from among the mines as prescribed by Presidential Decree.

(2) A mining right holder or a mining concession holder may omit part of the measures under Article 5 in the special area of paragraph (1) (hereinafter referred to as “special area”), as prescribed by Presidential Decree: Provided, That measurement of gases generation amount and securement of ventilation facilities and other measures as prescribed by Ordinance of the Ministry of Trade, Industry and Energy shall not be omitted.

(3) A mining right holder or a mining concession holder who intends to omit, pursuant to paragraph (2), part of the safety measures under Article 5 in the special area shall provide for the matters under each of the following in the safety regulation enacted pursuant to Article 11 and receive approval of the Minister of Trade, Industry and Energy:

1. Scope of the special area;
  2. Safety measures in the special area.
- (4) Where a mining right holder or a mining concession holder has received approval of a safety regulation pursuant to paragraph (3), he/she shall take safety measures as prescribed in paragraph (3) 2 in the concerned special area.

#### **Article 6 (Obligations of Miners)**

(1) When a miner operates a machine categorized as mining facilities (hereafter referred to as "mining machine" in this paragraph), he/she shall observe the following matters necessary for mining safety:

*<Amended by Act No. 13729, Jan. 6, 2016>*

1. The miner shall not repair, refuel or clean mining machines in operation: Provided, That the same shall not apply to cases where such works are recognized to be not dangerous by mining safety management personnel under Article 13 (hereinafter referred to as "mining safety management personnel");
2. The miner shall operate mining machines after confirming that the operation puts no one nearby in danger.

(2) No miner shall take transportation means, other than facilities designed to transport people: Provided, That the same shall not apply to cases where a miner takes such transportation means to work in the transportation means or to check or repair shafts or shafts inclined in the degree of 40 or more, or cables, pipes, etc. installed therein, or a miner takes the relevant transportation means for the safe transportation of articles transported by the transportation means under the instruction of mining safety management personnel. *<Amended by Act No. 13729, Jan. 6, 2016>*

(3) Each miner shall, when necessary to preserve mining safety facilities or prevent the deterioration thereof, observe the following matters: *<Amended by Act No. 13729, Jan. 6, 2016>*

1. No miner shall destroy or modify warning signs placed for safety purpose, installations for blocking traffic, safety-related machines or equipment, and other facilities, in contravention of the instruction of mining safety management personnel;
  2. No one shall enter places where only mining safety management personnel or persons designated by mining safety management personnel are allowed to pass or access;
  3. No miner shall suspend, stop or interfere with the maintenance or operation of ventilation facilities, mine water discharge facilities, and other facilities necessary for mining safety.
- (4) Each miner shall observe matters necessary for preventing hazards or mining damage in connection with works relevant to him/her, which are prescribed by Presidential Decree.

#### **Article 7 (Safety Training)**

(1) A mining right holder or a mining concession holder shall provide miners with a safety training, before they begin their works, including the following matters:

1. Details and methods of their works;

2. Structure, character and function of a machine, apparatus, material or any similar required for the works;
  3. Measures to be taken upon occurrence of the danger caused from conducting the works;
  4. Other matters necessary for safety of employees.
- (2) A mining right holder or a mining concession holder, a miner and a mining safety management personnel shall take the safety training provided by a professional institution prescribed by Presidential Decree.
- (3) A mining right holder or a mining concession holder shall take measures necessary for miners and mining safety management personnel to take the training to be provided by a professional institution.
- (4) A mining right holder or a mining concession holder and the professional institution under paragraph (2) shall keep the record of a safety training for five years from the date when the concerned safety training is completed.
- (5) Matters necessary for educational curriculum and hours of a safety training taken pursuant to paragraph (2), etc. shall be prescribed by Presidential Decree.

#### **Article 7-2 (Standard for Mining Safety Technology)**

- (1) The Mining Safety Committee as prescribed in Article 22-2 shall prepare a standard for mining safety technology necessary to enact the safety regulation under Article 11 (hereinafter referred to as “safety standard”) including the following matters:
1. Matters to be complied by miners;
  2. Matters to be complied by mining safety management personnel;
  3. Matters concerning ventilation and mine gases;
  4. Matters concerning electrical or machine equipments;
  5. Matters concerning prevention of mine damage;
  6. Matters concerning mining safety training;
  7. Other matters concerning mining safety.

(2) The safety standard shall be approved by the Minister of Trade, Industry and Energy as prescribed by Presidential Decree, after deliberation or resolution of the Mining Safety Committee.

(3) Where the Mining Safety Committee has received the approval under paragraph (2), it shall without delay make an announcement of details of the approved safety standard, through internet site, etc.

#### **Article 8 (Approval for Installation of Mining Facilities)**

(1) When a mining right holder or mining concession holder intends to install or modify mining facilities, he/she shall obtain approval from the Minister of Trade, Industry and Energy or make a report to the Minister of Trade, Industry and Energy, with respect to the work plan according to classifications prescribed by Presidential Decree. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) When a mining right holder or mining concession holder completes works approved pursuant to paragraph (1) or disuses mining facilities under paragraph (1), he/she shall report such fact to the Minister of Trade, Industry and Energy. *<Amended by Act No. 11690, Mar. 23, 2013>*

(3) Deleted. <by Act No. 13729, Jan. 6, 2016>

#### **Article 9 (Performance Tests)**

When a mining right holder or mining concession holder completes the installation or modification of mining facilities prescribed by Presidential Decree or a specific period of time lapses after the completion of such installation or modification, he/she shall have such mining facilities tested by the Minister of Trade, Industry and Energy, and shall not use facilities if they fail to pass the test. <Amended by Act No. 11690, Mar. 23, 2013>

#### **Article 9-2 (Dump Sites)**

(1) Any mining right holder or mining concession holder obliged to take measures for a dump site of waste rocks or waste minerals, pit, or other articles prescribed by Ordinance of the Ministry of Trade, Industry and Energy (hereinafter referred to as "dump site, etc."), following an order issued under this Act, shall take the measures even after he/she transfers or abandons them. <Amended by Act No. 11690, Mar. 23, 2013>

(2) When a mining right or mining concession is transferred, the successor to the mining right holder or mining concession holder shall succeed the obligations of the mining right holder or mining concession holder for dump sites, etc.

(3) When a mining concession is created, the mining concession holder shall succeed the obligations of the relevant drilling right holder for dump sites, etc.: Provided, That the same shall not apply to cases where the part of a mining area is turned into a conceded mining area.

(4) When a mining concession is extinguished, the drilling right holder shall succeed the obligations of the relevant mining concession holder for dump sites, etc.

#### **Article 10 (Use of Explosives)**

(1) Each mining right holder or mining concession holder shall observe the Act on Control of Guns, Swords and Explosives when using explosives: Provided, That a person in charge of explosives management and safety under Article 28 of the Act on Control of Guns, Swords and Explosives may permit the direct handling of explosives only to persons satisfying specific qualifications prescribed by Ordinance of the Ministry of Trade, Industry and Energy under his/her own responsibility. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Matters necessary for the use of explosives in mines, other than those prescribed in the Act on Control of Guns, Swords and Explosives shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013>

#### **Articles 11 (Safety Regulations)**

(1) To secure safety of mines, a mining right holder or a mining concession holder shall establish and comply with a safety regulation in accordance with the safety standard.

(2) A mining right holder or a mining concession holder shall include to a safety regulation the matters under each subparagraph of Article 7-2 (1) as prescribed by Presidential Decree.

(3) Where a mining right holder or a mining concession holder intends to establish or alter a safety regulation pursuant to paragraph (1), he/she shall submit to the Minister of Trade, Industry and Energy a written opinion of a professional institution prescribed by Presidential Decree and receive the Minister's approval of the aforementioned establishment or alteration.

(4) The Minister of Trade, Industry and Energy shall review adequacy and compliance of a safety regulation at least once every two years.

(5) When a mining right holder or a mining concession holder establishes a safety regulation pursuant to paragraph (1), he/she and the representative of miners shall agree thereto.

**Article 12 Deleted.** <by Act No. 5723, Jan. 29, 1999>

**Article 13 (Mining Safety Management Personnel)**

(1) Each mining right holder or mining concession holder shall appoint mining safety management personnel as prescribed by Ordinance of the Ministry of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13729, Jan. 6, 2016>

(2) The Minister of Trade, Industry and Energy may, when deemed necessary for mining safety, order a mining right holder or mining concession holder to dismiss mining safety management personnel. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13729, Jan. 6, 2016>

(3) When a mining right holder or mining concession holder appoints or dismisses mining safety management personnel, he/she shall report such fact to the Minister of Trade, Industry and Energy as prescribed by Ordinance of the Ministry of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13729, Jan. 6, 2016>

(4) Mining safety management personnel shall manage and comply with the matters concerning mining safety as prescribed by Ordinance of the Ministry of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13729, Jan. 6, 2016>

(5) When a mining safety management personnel member is unable to conduct his/her duties due to travelling, illness or other circumstances, the mining right holder or mining concession holder shall, in advance, appoint a substitute to vicariously perform such duties as prescribed by Ordinance of the Ministry of Trade, Industry and Energy for the continuation of the duties and report thereon to the Minister of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13729, Jan. 6, 2016>

(6) When a substitute under paragraph (5) performs the duties of a mining safety management personnel member, he/she shall be construed as a mining safety management personnel member in the application of this Act and orders issued under this Act. <Amended by Act No. 13729, Jan. 6, 2016>

(7) Mining safety management personnel shall have a specific qualification prescribed in the National Technical Qualifications Act and shall be determined by Ordinance of the Ministry of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13729, Jan. 6, 2016>

(8) No mining safety management personnel shall concurrently hold the office of mining safety management personnel in two or more mines: Provided, That the same shall not apply to cases where

mining safety management personnel obtains approval from the Minister of Trade, Industry and Energy for the concurrent holding of office on special grounds. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13729, Jan. 6, 2016>

**Article 14 Deleted.** <by Act No. 5723, Jan. 29, 1999>

**Article 15 (Safety Orders)**

When the Minister of Trade, Industry and Energy recognizes that the following matters are in violation of this Act or orders issued under this Act, he/she may order a mining right holder or mining concession holder to suspend the use of, remodel, repair and relocate mining facilities, to change the methods of operating mines or to take other necessary measures: <Amended by Act No. 11690, Mar. 23, 2013>

1. Use of mining facilities;
2. Handling of explosives or other materials, and power or fire;
3. Other methods of operating mines.

**Article 15-2 (Rescue Orders)**

When the Minister of Trade, Industry and Energy deems it necessary to rescue people suffering from a disaster in a mine, he/she may order a mining right holder or mining concession holder to take necessary measures therefor. <Amended by Act No. 11690, Mar. 23, 2013>

**Article 16 (Reporting)**

A mining right holder or a mining concession holder may have the Minister of Trade, Industry and Energy report the following matters concerning mining safety as prescribed by Presidential Decree: <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13729, Jan. 6, 2016>

1. Matters concerning disasters and accidents;
2. Deleted; <by Act No. 13729, Jan. 6, 2016>
3. Matters concerning the occurrence of danger.

**Article 17 (Preparation of Mining Safety Maps)**

Each mining right holder or mining concession holder shall prepare a mining safety map as prescribed by Ordinance of the Ministry of Trade, Industry and Energy, and keep it in his/her office in the mine and submit a copy thereof to the Minister of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13729, Jan. 6, 2016>

**Article 18 (Responsibilities of Former Mining Right Holders or Mining Concession Holders)**

(1) The Minister of Trade, Industry and Energy may order former mining right holders or mining concession holders to take measures necessary for preventing hazards or mining damage which may be caused by their mine management for three years even after the extinguishment of their mining rights. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Any person subject to an order under paragraph (1) shall be construed as a mining right holder or mining concession holder within the scope necessary for him/her to take measures following such order.

**Article 19 (Competent Authority)**

- (1) The Minister of Trade, Industry and Energy shall handle administrative affairs concerning the supervision of mining safety. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13729, Jan. 6, 2016>
- (2) The Minister of Employment and Labor may recommend matters necessary for the safety and protection of miners to the Minister of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013>
- (3) The Minister of Environment may recommend matters necessary for the prevention of mining damage to the Minister of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013>

#### **Article 20 (Mining Safety Officers)**

- (1) The Minister of Trade, Industry and Energy may appoint mining safety officers to conduct the duty to supervise mining safety in the Ministry of Trade, Industry and Energy and the subordinate agencies thereof. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13729, Jan. 6, 2016>
- (2) A mining safety officer under paragraph (1) shall be appointed or dismissed by the Minister of Trade, Industry and Energy, from among public officials under his/her control. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13729, Jan. 6, 2016>
- (3) The Minister of Trade, Industry and Energy may, when deemed necessary for supervising mining safety, dispatch a mining safety officer to a mine to inspect the affairs of mining safety, the current state of mining facilities, account books, documents and other articles, to ask questions to relevant persons or to take measures necessary for mining safety. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13729, Jan. 6, 2016>
- (4) A mining safety officer that conducts an inspection or asks questions pursuant to paragraph (3) shall carry a certificate indicating his/her authority and present it to relevant persons. <Amended by Act No. 13729, Jan. 6, 2016>

#### **Article 21 (Judicial Police Power)**

Each mining safety officer shall perform the duties of judicial police officers with respect to offenses against this Act, in accordance with the Act on the Persons Performing the Duties of Judicial Police Officers and the Scope of Their Duties. <Amended by Act No. 13729, Jan. 6, 2016>

#### **Article 22 (Reporting on Occurrence of Hazards)**

- (1) When a hazard or mining damage occurs or is likely to occur in a mine as a result of an offense against this Act, the miners thereof may report such fact to the Minister of Trade, Industry and Energy or to mining safety officers. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13729, Jan. 6, 2016>
- (2) No mining right holder nor mining concession holder shall disadvantage miners by means of dismissal, suspension of duty, change of post, reduction of wages, or other disadvantageous treatments under the ground of their reporting under paragraph (1).

#### **Article 22-2 (Mining Safety Committee)**

- (1) For enactment, amendment and operation, etc. of the safety standard under Article 7-2 (1), a mining safety committee shall be established under the Minister of Trade, Industry and Energy.



(2) The mining safety committee shall deliberate or resolve the following matters:

1. Matters concerning establishment, amendment and abolition of the safety standard;
2. Matters concerning application and operation of the safety standard;
3. Matters concerning adoption of other countries' standards or new technologies on mining safety technology;
4. Matters concerning establishment, amendment and abolition of a regulation of the mining safety committee;
5. Other matters concerning safety standards referred by the Minister of Trade, Industry and Energy.

(3) The mining safety committee shall be comprised of not more than twenty committee members including one chairperson and one deputy chairperson.

(4) Members of the mining safety committee shall be commissioned by the Minister of Trade, Industry and Energy; and the chairperson and deputy chairperson of the mining safety committee shall be appointed from among the persons having much expertise and experience concerning mining, exploration, separation of ore, machine, safety management, civil engineering, construction, electricity, etc. and mining safety.

(5) The term of members of the mining safety committee shall be three years, and the term may be extended.

(6) Other detailed matters required for organization and operation of the mining safety committee shall be prescribed by Presidential Decree.

#### **Article 22-3 (Fees)**

Any person intending to undergo a performance test, etc. under Article 9 shall pay fees as prescribed by Ordinance of the Ministry of Trade, Industry and Energy. *<Amended by Act No. 11690, Mar. 23, 2013>*

#### **Article 22-4 (Delegation or Entrustment of Authority)**

(1) The authority of the Minister of Trade, Industry and Energy under this Act may be partially delegated to the heads of the agencies under his/her control, as prescribed by Presidential Decree. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) The Minister of Trade, Industry and Energy may entrust the business of performance test, etc. of mining facilities under Article 9 to Korea Resources Corporation established under the Korea Resources Corporation Act or to Mine Reclamation Corporation established under the Mining Damage Prevention and Restoration Act as prescribed by Presidential Decree. *<Amended by Act No. 11690, Mar. 23, 2013>*

#### **Article 23 (Legal Fiction as Public Officials in Application of Penalty Provisions)**

In the application of Articles 129 through 132 of the Criminal Act, the executive officers and employees of a corporation engaging in the business entrusted by the Minister of Trade, Industry and Energy pursuant to Article 22-4 (2) shall be construed as public officials. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 13729, Jan. 6, 2016>*

#### **Article 24 (Penalty Provisions)**

Any person who violates an order referred to in Article 15, 15-2 or 18 (1) shall be punished by imprisonment with labor for not more than two years, or by a fine not exceeding twenty million won.

<Amended by Act No. 13729, Jan. 6, 2016>

#### **Article 25 (Penalty Provisions)**

Any of the following persons shall be punished by imprisonment with labor for not more than one year or by a fine not exceeding ten million won: <Amended by Act No. 13729, Jan. 6, 2016>

1. A person who fails to take measures under Article 5;
2. A person who fails to receive approval of the Minister of Trade, Industry and Energy pursuant to Article 5-2 (3) or fails to take safety measures pursuant to Article 5-2 (4);
3. A person who fails to comply with the duties of miners pursuant to Article 6;
4. A person who commences works without obtaining approval of the work plan under Article 8 (1);
5. A person who violates Article 9, 13 (1) and (4) or 22 (2);
6. A person who operates a mine without establishing a safety regulation or fails to comply with a safety regulation, in violation of Article 11 (1);
7. A person who operates a mine without obtaining approval of the Minister of Trade, Industry and Energy concerning a safety regulation, in violation of Article 11 (3);
8. A person who violates the order as prescribed in Article 13 (2).

#### **Article 25-2 (Joint Penalty Provisions)**

If the representative of a corporation, or an agent, employee or any other employed person of a corporation or individual commits an offense under Article 24 or 25 in relation to the business of the corporation or individual, not only such offender shall be punished, but such corporation or individual shall also be punished by a fine referred to in the relevant provisions: Provided, That the same shall not apply to cases where such corporation or individual has not been negligent in giving due attention and supervision concerning the relevant duties to prevent such offence.

#### **Article 26 (Administrative Fines)**

(1) Any person who fails to appoint a proxy mining safety management personnel, in violation of Article 13 (5), shall be subject to an administrative fine of up to 10 million won. <Newly Inserted by Act No. 15175, Dec. 12, 2017>

(2) Any of the following persons shall be subject to an administrative fine of up to two million won: <Amended by Act No. 13729, Jan. 6, 2016; Act No. 15175, Dec. 12, 2017>

1. A mining right holder or mining concession holder who fails to provide the safety training before commencement of a work as prescribed in Article 7 (1) or fails to take necessary measures, in violation of Article 7 (3);
2. A mining right holder, mining concession holder, mining safety management personnel, or miner who fails to take the safety training provided by a specialized institution as prescribed in Article 7 (2);
3. A mining right holder, mining concession holder, or specialized institution that fails to preserve the records of safety training, in violation of Article 7 (4);
4. A person who fails to make a report or makes a false report on a work plan under Article 8 (1);

5. A person who fails to make a report or makes a false report in violation of Article 8 (2), 13 (3) or 13 (5);
  6. A person who fails to make a report under Article 16 or makes a false report;
  7. A person who fails to prepare and keep a mining safety map in his/her office in the mine or fails to submit a copy thereof, in violation of Article 17;
  8. A person who refuses, interferes with, or evades an inspection under Article 20 (3) or refuses to make a statement to questions or makes a false statement.
- (3) Administrative fines under paragraph (1) shall be imposed and collected by the Minister of Trade, Industry and Energy as prescribed by Presidential Decree. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 15175, Dec. 12, 2017>*

#### ADDENDA

- (1) (Enforcement Date) This Act shall enter into force one year after the date of its promulgation.
- (2) (Existing Facilities) With respect to the existing mining facilities before the enforcement of this Act, necessary measures for safety should be taken as provided by Ordinance of the Minister of Energy Resources within not later than 90 days after the day of the enforcement of this Act and should be approved by the Minister of Energy Resources.

#### ADDENDUM *<Act No. 1915, Mar. 17, 1967>*

This Act shall enter into force on the date of its promulgation.

#### ADDENDUM *<Act No. 2493, Feb. 7, 1973>*

This Act shall enter into force three months after the date of its promulgation.

#### ADDENDA *<Act No. 3011, Dec. 16, 1977>*

- (1) (Enforcement Date) This Act shall enter into force on the date of its promulgation.
- (2) through (5) Omitted.

#### ADDENDUM *<Act No. 3337, Dec. 31, 1980>*

This Act shall enter into force on the date of its promulgation.

#### ADDENDA *<Act No. 3422, Apr. 8, 1981>*

#### **Article 1 (Enforcement Date)**

This Act shall enter into force on the date of its promulgation. (Proviso Omitted.)

#### **Articles 2 through 4 Omitted.**

ADDENDA <Act No. 3492, Dec. 31, 1981>

**Article 1 (Enforcement Date)**

This Act shall enter into force on February 1, 1982.

**Articles 2 through 4 Omitted.**

ADDENDA <Act No. 4541, Mar. 6, 1993>

**Article 1 (Enforcement Date)**

This Act shall enter into force on the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 5 Omitted.**

ADDENDUM <Act No. 5454, Dec. 13, 1997>

This Act shall enter into force on January 1, 1998. (Proviso Omitted.)

ADDENDA <Act No. 5723, Jan. 29, 1999>

(1) (Enforcement Date) This Act shall enter into force six months after the date of its promulgation.

(2) (Transitional Measures concerning Penalty Provisions) The application of the penalty provisions to acts performed before the enforcement of this Act shall be dealt with according to the previous provisions.

ADDENDUM <Act No. 8184, Jan. 3, 2007>

This Act shall enter into force on the date of its promulgation.

ADDENDA <Act No. 8852, Feb. 29, 2008>

**Article 1 (Enforcement Date)**

This Act shall enter into force on the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 7 Omitted.**

ADDENDA <Act No. 9010, Mar. 28, 2008>

**Article 1 (Enforcement Date)**

This Act shall enter into force three months after the date of its promulgation.

**Articles 2 through 5 Omitted.**

ADDENDA <Act No. 9182, Dec. 26, 2008>

**Article 1 (Enforcement Date)**

This Act shall enter into force on the date of its promulgation.

**Articles 2 through 4 Omitted.**

ADDENDUM <Act No. 9218, Dec. 26, 2008>

This Act shall enter into force on the date of its promulgation.

ADDENDUM <Act No. 9506, Mar. 18, 2009>

This Act shall enter into force on the date of its promulgation.

ADDENDA <Act No. 9982, Jan. 27, 2010>

**Article 1 (Enforcement Date)**

This Act shall enter into force one year after the date of its promulgation.

**Articles 2 through 10 Omitted.**

ADDENDA <Act No. 10339, Jun. 4, 2010>

**Article 1 (Enforcement Date)**

This Act shall enter into force one month after the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 5 Omitted.**

ADDENDUM <Act No. 10497, Mar. 30, 2011>

This Act shall enter into force on the date of its promulgation.

ADDENDA <Act No. 11690, Mar. 23, 2013>

**Article 1 (Enforcement Date)**

(1) This Act shall enter into force on the date of its promulgation.

(2) Omitted.

**Articles 2 through 7 Omitted.**

ADDENDA <Act No. 13729, Jan. 6, 2016>

**Article 1 (Enforcement Date)**

This Act shall enter into force one year after the date of its promulgation.

**Article 2 (Transitional Measures concerning Approval of Safety Regulations)**

A mining right holder or a mining concession holder who specified in a safety regulation the matters concerning the scope of a special area and the safety measures in the special area, as at the time of enforcement of this Act, shall obtain approval of the Minister of Trade, Industry and Energy within six months after enforcement of this Act, pursuant to the amended provisions of Article 5-2.

**Article 3 (Transitional Measures concerning Mining Safety Management Personnel)**

(1) A mining safety management personnel appointed as at the time of enforcement of this Act shall be deemed the mining safety management personnel pursuant to the amended provisions of Article 13.

(2) A mining safety map prepared as at the time of enforcement of this Act shall be deemed the mining safety map as prescribed in the amended provisions of Article 17.

#### **Article 4 (Transitional Measures concerning Penalty Provisions)**

Where an order issued before enforcement of this Act pursuant to previous Article 8 (3) exists, the previous provisions shall govern in case of applying penalty provisions against a conduct in violation of the order, notwithstanding the amended provisions of subparagraph 8 of Article 25.

#### **Article 5 (Transitional Measures concerning Administrative Fines)**

Upon imposing an administrative fine against a conduct committed before enforcement of this Act, the previous provisions shall apply, notwithstanding the amended provisions of subparagraph 2 of Article 16.

#### **Article 6 Omitted.**

#### **Article 7 (Relationship with Other Statutes or Regulations)**

Any citation of the previous Mining Safety Act or its provisions made in other statutes or regulations as at the time this Act enters into force shall be deemed a citation of this Act or its relevant provisions made in lieu of the previous Mining Safety Act or its provisions, where corresponding provisions exist in this Act.

ADDENDUM <Act No. 15175, Dec. 12, 2017>

This Act shall enter into force six months after the date of its promulgation.